

REMARKS/ARGUMENTS

I.

Favorable reconsideration of this application, as presently amended, is respectfully requested.

Claims 1-13 and 15-20 are presently active in the application. Claim 14 has been cancelled.

Applicants note with appreciation the examiner acknowledgment of the papers submitted under 35 USC 119(a)-(d).

II.

The specification has been amended to include section headings as requested on page 3 of the office action. There is no requirement in 37 CFR 1.77(b) to include section headings that are not applicable.

III.

The objections to the drawings on page 2 of the office action are noted. Figure 3 has been amended to add the reference numeral 33 to designate the combining device referred to on page 11 lines 36-37. In addition, Fig. 3 has been amended to add the double arrows "N" perpendicular to the double arrows "M" to show that the bar 35 can move perpendicular to the support 20 as well as parallel thereto as described on page 11 lines 25-39. A new Fig. 6 has been added to show the mechanical guiding means set forth set forth in claims 8 and 10 and described in the paragraph bridging pages 19-20.

IV.

Claims 8-13 and 15-20 stand rejected under 35 USC 112, second paragraph, as being indefinite. This rejection is respectfully traversed.

The office action indicates that the recitation in claim 8 lines 1-4 of “the yarn guide... the main body” is indefinite. Applicants respectfully traverse this rejection. The present application discloses on page 19 lines 25-38 that the movable arm 35 can move perpendicular to the axis X in the same horizontal plane as that of the motion M of the movable arm 35 parallel to the axis X. Applicants note that parent claim 1 is a comprising claim, and therefore it does not preclude the movable arm from moving perpendicular to the axis X as well as parallel thereto.

The office action indicates that the recitation “mechanical guide means” in claim 10 line 2 is indefinite. This rejection is respectfully traversed. The mechanical guide means is described on page 19 last line-page 20 line 3. The mechanical guide means 52 is now illustrated in new Figure 6. Accordingly, Applicants submit that the structure of the mechanical guide means is clear from the specification and that claim 10 complies with 35 USC 112, second paragraph.

The office action indicates that the recitation “can be varied” in claims 11-13 line 2 is indefinite. This indefiniteness has been corrected by changing “can be” to --is--.

The office action indicates that claims 15 and 16 are indefinite. Claims 15 and 16 as well as claims 17-19 are product by process claims. They recite the product obtained by performing the method set forth in claim 1. Claim 15 has been amended to clarify that the angle of inclination relates to the generatrix (L2) and claim 16 has been amended to make clear that the angle of inclination relates to the generatrix (L3). As such, Applicants believe that claims 15 and 16 comply with the requirements of 35 USC 112, second paragraph.

The office action indicates that the recitation “the yarn has a waviness” is indefinite. The waviness set forth in claim 17 is described on page 14 line 8-page 15 line 26. As pointed out on page 14 lines 18-22, the helicoidal shape of the groove in the yarn guide 34 illustrated in Fig. 4 “makes it possible, during winding, to give the yarn a waviness, the number of sinusoids of which over one coil and their width depends upon the pitch p of the cam and on the speed of rotation of the latter.” Accordingly, Applicants submit that the recitation “the yarn has a waviness” in claim 17 complies with the requirements of 35 USC 112, second paragraph.

Claim 20 has been amended to overcome the indefiniteness noted by the examiner. As amended, Applicants submits that claim 20 complies with the requirements of 35 USC 112, second paragraph.

V.

Claims 1-7, 12, 13, 15, and 16 stand rejected under 35 USC 102(b) as being anticipated by Ishii et al. (JP 3-33229) (hereinafter referred to as “JP ‘229”). This rejection is respectfully traversed.

The English language abstract of JP ‘229 discloses that the yarn package is formed by “winding a yarn from the lower end of a non-reeling side with a short stroke width using a ring twister winder and forming a yarn layer while gradually expanding the stroke width.” There is no disclosure in JP ‘229 of a cylindrical support having a longitudinal axis (X) and fastened around a spindle driven in a rotational movement, in which the yarn is wound by running over yarn guide which moves in a back and forth motion parallel to the axis (X) of the support. Moreover, because JP ‘229 does not disclose a yarn guide of the type recited in claim 1, it clearly does not disclose the method of winding the yarn according to the first and

second rules recited in claim 1. Accordingly, Applicants respectfully request that the rejection of claim 1 under 35 USC 102(b) be withdrawn.

Claim 2-7, 12, 13, 15, and 16 depend directly or indirectly from claim 1.

Accordingly, those claims patentably distinguish over the reference for the reasons stated above with respect to claim 1. Moreover, each of those claims includes additional limitations which further patentably distinguish those claims over the applied reference.

VI.

Claim 8-11 and 19 stand rejected under 35 USC 103(a) as being unpatentable over JP '229 in view of Wiering (U.S. Patent No. 2,965,322). This rejection is respectfully traversed.

Claims 8-11 and 19 depend directly or indirectly from claim 1. Wiering fails to make up for the deficiencies in JP '229 as noted above with respect to claim 1. That is, neither Wiering nor JP '229 teaches or suggests a method of winding yarn comprising governing the movement of the yarn guide according to the first and second rules recited in claim 1. Accordingly, claims 8-11 and 19 patentably distinguish over the applied references for the reasons stated above with respect to claim 1.

VII.

Claims 11, 17, 18, and 20 stand rejected under 35 USC 103(a) as being unpatentable over JP '229 in view of Poulin (FR 2 380 209). This rejection is respectfully traversed.

Claims 11, 17, 18, and 20 depend directly or indirectly from claim 1. Poulin fails to make up for the deficiencies in JP '229 with respect to the recitations noted above in claim 1. In particular, neither JP '229 nor Poulin teaches or suggests a method of winding yarn comprising governing the movement of the yarn guide according to the first and second rules

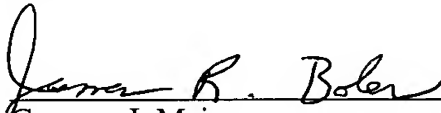
recited in claim 1. Accordingly, Applicants respectfully request that the rejection of claims 11, 17, 18 and 20 under 35 USC 103(a) be withdrawn.

VIII.

In view of the above remarks, Applicants respectfully request favorable reconsideration and allowance of claims 1-13 and 15-20.

Respectfully submitted,

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